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Office of Special Education and Early Intervention Services

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FOCUS on Results offers valuable, up-to-date information for special education stakeholders, including parents, teachers, school administrators, counselors, and others.

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This FOCUS on Results article presents the components of Michigan’s general supervision system, including a brief narrative describing each component. The information will help education stakeholders to understand the Michigan Department of Education’s (MDE) responsibility under federal law to monitor the implementation of the *Individuals with Disabilities Education Act* (IDEA). Guidelines established by the National Center for Special Education Accountability Monitoring (NCSEAM) are designed to create a system of general supervision to enforce the requirements and to ensure continuous improvement for all states.

Understanding the Components of Michigan’s General Supervision System

States have a responsibility, under federal law, to have a system of general supervision that monitors the implementation of the *Individuals with Disabilities Education Act* (IDEA) by local educational agencies (LEAs). An effective system is accountable for enforcing the requirements and for ensuring continuous improvement.

This issue of *FOCUS on Results* presents the components of Michigan’s general supervision system, including a brief narrative describing each component, followed by evidences of how the state or an LEA demonstrates compliance with the required system of general supervision.

The evidences highlight some of the key federal requirements. Requirements for general supervision continue to evolve over time as states use self-evaluation and examination activities to develop descriptions of effective systems of general supervision. Although the components of general supervision are presented as separate pieces of a puzzle (see Figure 1 on page 3), each component must inform and interact with the other components for an effective system to exist.

Components of a System of General Supervision

According to the National Center for Special Education Accountability Monitoring (NCSEAM), an effective system of general supervision must include, at a minimum, each of the following components that inform and interact with each other:

1. State Performance Plan (SPP).
2. Policies, Procedures, and Effective Implementation.
3. Data on Processes and Results.
4. Targeted Technical Assistance and Professional Development.
5. Effective Dispute Resolution.
6. Integrated Monitoring Activities.
7. Improvement, Correction, Incentives, and Sanctions.
8. Fiscal Management.

The following component descriptions and evidences have been adapted from NCSEAM’s document titled *Developing and Implementing an Effective System of General Supervision: Part B*, January 2007, at www.accountabilitydata.org.



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State Performance Plan (SPP)

The State Performance Plan (SPP) serves as an accountability mechanism for states and LEAs. The SPP consists of 20 indicators for IDEA Part B (ages 3 through 21) and 14 indicators for IDEA Part C (birth through age 2). Each of the SPP indicators has been purposely written to provide a measurable indication of a state's performance in specific legal priority areas under Part B—Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE), Disproportionality, and Effective General Supervision, including Child Find and Effective Transitions.

Compliance indicators have targets set by the federal government's Office of Special Education Programs (OSEP) and require absolute targets of 0 or 100 percent. Results indicators have targets set by each state with approval from the OSEP. Measurable and rigorous targets are established to set expectations for achieving high standards in state and local performance.

The IDEA regulations require that each state establish and maintain an advisory panel for the purpose of providing guidance with respect to special education and related services for children with disabilities in the state. The Special Education Advisory Committee (SEAC) is Michigan's state advisory panel to the State Board of Education and the Michigan Department of Education (MDE). Stakeholders—including SEAC members; school administrators; parents; and the MDE, Office of Special Education and Early Intervention Services (OSE-EIS) staff members—are actively and routinely involved in all aspects of the SPP. It is required that stakeholders are involved in establishing and revising targets.

Annual reporting of performance on the SPP indicators from the state to the OSEP occurs through a federally mandated Annual Performance Report (APR). The APR is an essential component of the accountability system. The APR must be publicly accessible by posting on a state's Web site. The state must also report annually to the public on the performance of LEAs compared to the state targets. Michigan's SPP, APR,

and public reporting information can be obtained at www.michigan.gov/mde.

Evidence that the **State Performance Plan** component is part of a state's or an LEA's system of general supervision includes:

- The SPP is a living document that is revised as needed and used as a roadmap to guide improvement efforts at the state and local level.
- The state follows a strategic work plan for developing and implementing the SPP/APR.
- Stakeholders are actively involved in all aspects of the SPP, including establishing and revising targets.
- A statewide system is in place to evaluate the implementation and effectiveness of the SPP improvement activities.
- The state summarizes its progress toward state- and federally-established goals in an APR to the U.S. Secretary of Education.
- Information about the SPP is communicated in language understandable to the general public.
- The state publicly reports on LEA performance against state targets of the SPP.
- The SPP is integrated within the state's accountability systems.

For more information, see *FOCUS on Results, September 2008, Volume 6, Issue 3, Packet 12, Article 1: Understanding Michigan's State Performance Plan (SPP), Annual Performance Report (APR), and Public Reporting at www.cenmi.org.*

Policies, Procedures, and Effective Implementation

States have policies, procedures, and implementation strategies that align with and support the implementation of the IDEA. The policies and procedures are enforceable under state law and/or policies through the imposition of sanctions when necessary. The policies and procedures must include descriptions of methods the state will use to detect

noncompliance of LEAs and to ensure correction of noncompliance when found.

The IDEA supports the implementation of research and evidence-based practices as important to ensuring positive results for students with disabilities. This also includes LEAs providing professional development to their personnel that includes information on evidence-based practices and enhances their skills. In addition, local programs are required to recruit and retain “highly qualified” personnel.

To ensure the implementation of the IDEA, it is necessary to coordinate efforts across state and local agencies. Interagency agreements or memoranda of understandings are sometimes necessary. As part of their efforts, collaborating bodies should discuss financial-related, service-related, and evaluation-related issues.

States are allowed to establish their own method for ensuring that LEAs follow state policies, procedures, and implement effective practices. One of the most common methods is to have LEAs submit assurance statements with their local application of funds.

Evidence that the **Policies, Procedures, and Effective Implementation** component is part of a state’s or an LEA’s system of general supervision includes:

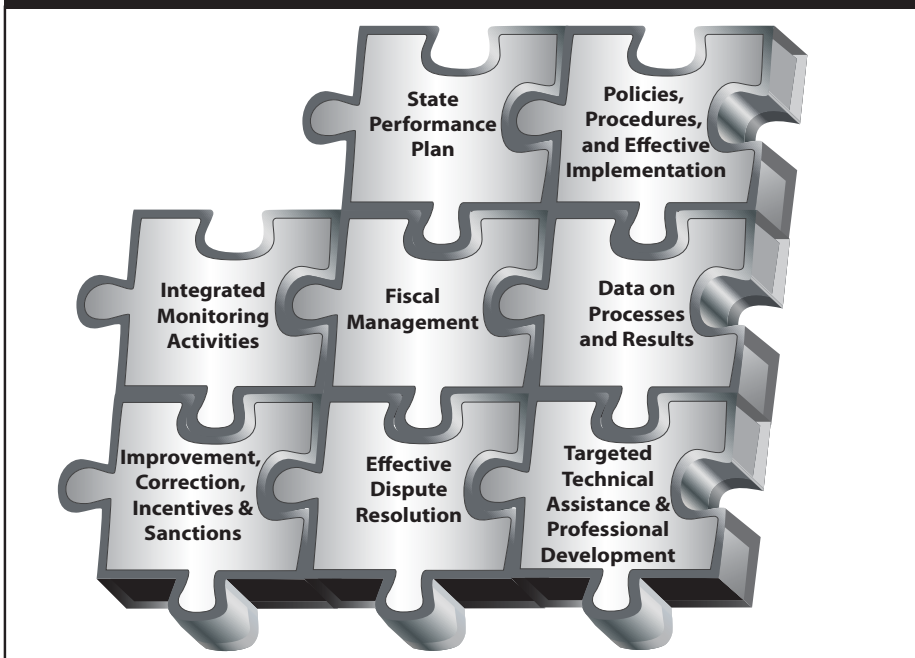
- State policies and procedures align with IDEA 2004.
- State policies and procedures include descriptions of activities to identify noncompliance, methods of requiring correction of noncompliance, and the range of sanctions the state can use to enforce correction.
- The LEAs have policies and procedures in place to ensure that all personnel necessary to carry out the requirements of IDEA are appropriately and adequately prepared.
- States establish and maintain specifications for “highly qualified” personnel.
- State and local entities have policies and procedures in writing to guarantee a free, appropriate public education (FAPE) in the least restrictive environment (LRE).
- Required memoranda of understandings or interagency agreements ensure implementation of the IDEA, as well as the establishment of methods to determine their effectiveness.

Data on Processes and Results

As a part of a state’s general supervision responsibilities, a chain of events should occur when data are used for decision making about program management and improvement. These events include:

As stated in Section 616 of the 2004 amendments to the *Individuals with Disabilities Education Act (IDEA)*, “The primary focus of federal and state monitoring activities described in paragraph (1) shall be on—(A) improving educational results and functional outcomes for all children with disabilities; and (B) ensuring that states meet the program requirements under this part, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities.”

Figure 1: Components of General Supervision



Disproportionality—

Disproportionality is the over or under representation of minority students in special education. Meaning, there is either a significantly larger or smaller percentage of students from a specific minority background receiving special education services than the percentage of that minority in the population generally.

Source: *Partners Resource Network*

**A System of
General
Supervision Is
About Better
Results for All
Students.**



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(1) collection and verification, (2) examination and analysis, (3) reporting of data, (4), status determination, and (5) improvement.

1. **Collection and Verification**—The IDEA requires that data are collected from LEAs through a state-reported data collection and reported in the APR. To effectively use these data, LEAs must regularly update the data, and the state must routinely examine the collected data. States use the data (as well as information from other sources, such as other state-collected data, patterns, and trends in dispute resolution data and previous findings) to evaluate the performance of the state and the LEAs on the SPP indicators. These data are also useful in identifying the LEAs in need of monitoring (especially when these data can be compared across indicators). It is important for states to ensure that the data collected from the LEAs are accurate, as well as submitted in a timely manner. Accuracy has multiple levels, including that the data follow rules of entry or submission and that they reflect actual practice. States must develop multiple methods of verifying data accuracy. Data should be compared over time and disaggregated to levels that identify possible problems in validity and reliability.
2. **Examination and Analyses**—Data must be examined in a variety of ways to identify and determine patterns and trends. States should cluster related indicators to see whether relationships exist. Cross-indicator examinations are critical in determining “connections” among indicators and should always be considered while planning improvement activities (e.g., Part B graduation with test performance, dropout rates).
3. **Reporting of Data**—The federal government requires that each state’s collected data are reported to the public annually. The state’s performance on the SPP indicator targets must be included in this report. The state must also annually report on the performance of each LEA on the SPP indicators compared to the state targets. The LEA performance must be publicly accessible through such means as posting on the state’s Web site.
4. **Status Determinations**—Performance data on the SPP indicators for each LEA, as well as from other sources (e.g., fiscal audits,

previous monitoring data) are used by states to make determinations of the status of each LEA. Based on the state’s specific criteria, LEA performance is evaluated and categorized as “meets requirements,” “needs assistance,” “needs intervention,” or “needs substantial intervention.”

5. **Improvement**—Data from the examination of LEA performance and ongoing state activities are used for program improvement and progress measurement. States also coordinate *No Child Left Behind* (NCLB) Act school improvement activities with SPP improvement activities. Technical assistance activities, designed to address the needs of each individual LEA, are based on data that are collected.

Evidence that the **Data on Processes and Results** component is part of a state’s or an LEA’s system of general supervision includes:

- Data are collected as required under the IDEA and by the U.S. Secretary of Education.
- Data are routinely collected throughout the year.
- The LEAs submit data in a timely and accurate manner.
- Data are available from multiple sources and used to examine performance of the LEAs. States make determinations on the status of the LEAs addressing the minimum requirements specified by the OSEP.
- Verification of data is achieved through multiple methods and activities.
- Routine examination of data at the state and local level is current and compared to previous years.
- Data collected through monitoring activities are summarized to examine cross years’ patterns and trends.
- State reports are accurate and timely.
- States include multiple measures of status in their determination decisions.
- Data are used to determine appropriate activities to assist LEAs and the state in meeting targets.
- Data are used to target and maximize technical assistance and professional development, as well as state resources.

Targeted Technical Assistance and Professional Development

Technical assistance must be directly linked to the SPP indicators and to the improvement activities. Technical assistance and activities to build capacity can be implemented at varying levels and through multiple means such as Web sites; documents; coaching; mentoring; job-embedded professional development; local, regional, and/or statewide learning networks; direct training from state personnel; and/or from other resources (e.g., Regional Resource Centers (RRCs), the National Early Childhood Technical Assistance Center (NECTAC), other technical assistance providers).

Evidence that the **Targeted Technical Assistance** and Professional Development component is part of a state's or an LEA's system of general supervision includes:

- Technical assistance or professional development activities are directly linked to specific indicators in the SPP, including the identification and correction of noncompliance and improvement of performance.
- States systematically disseminate information to the LEAs about promising and evidence-based practices.
- Standards for professional development are designed to evaluate technical assistance and professional development activities.
- Evaluations of technical assistance and professional development activities involve evidence of a change of practice resulting in improved outcomes and compliance as well as building sustainability and capacity.
- Follow-up activities are built into the technical assistance design to determine whether activities are carried out consistently.
- Collaboration with teacher education personnel and other higher education officials addresses need for highly qualified teachers who exhibit skills and knowledge in areas of state need.
- Networks exist at state and local level to increase technical assistance

capacity (e.g., personnel, knowledge base, local access, hard-to-reach audiences).

Effective Dispute Resolution

The timely resolution of complaints, mediations, and due process actions is required for effective dispute resolution. Effective dispute resolutions also track the issues identified to determine whether patterns or trends exist. Additionally, through the tracking of the issues over time, it is possible for states to evaluate the resolutions' effectiveness and determine whether resolution was maintained in future situations. When there are instances of small numbers of complaints, mediations, or dispute resolutions, it is important for the state to determine the extent to which parents, families, and students understand their rights related to dispute resolution.

Evidence that the **Effective Dispute Resolution** component is part of a state's or an LEA's system of general supervision includes:

- Resolution of disputes are in accordance with required timelines.
- Tracking of issues identified is used to determine patterns and trends.
- Results of dispute resolution processes are analyzed to determine the effectiveness of the dispute resolution system.
- Data from dispute resolution are used to inform the state's integrated monitoring system.
- Dispute resolution processes include mechanisms for ensuring that all related corrective actions have been implemented and noncompliance has been corrected.
- The state has methods of regularly reviewing issues raised in the dispute resolution system to compare to other monitoring information.
- States encourage the use of a continuum of resolution options to resolve disputes at an informal level and as early as possible.
- All personnel are trained appropriately on dispute resolution processes and the IDEA requirements.

Free Appropriate Public Education

(FAPE)—FAPE is a right guaranteed to students with disabilities by the *Individuals with Disabilities Education Act*. The provision states that special education and related services, in accordance with the state's standards, are provided free of charge under public supervision and direction in compliance with the student's individualized education program (IEP). It includes preschool, elementary school, or secondary school education. *Source: Partners Resource Network*

Least Restrictive Environment (LRE)

(LRE)—LRE refers to the concept that children with disabilities should be educated to the maximum extent possible with children without disabilities while meeting all their learning needs and physical requirements. The type of setting is stipulated in a child's IEP. *Source: Partners Resource Network*



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- Data demonstrate that parents understand their rights related to resolving disputes under the IDEA.

Integrated Monitoring Activities

Effective monitoring strategies are integrated across all components of the general supervision system. Multiple data sources and methods are used to monitor every LEA. Selected monitoring activities ensure continuous examination of performance for compliance and results. This includes on-site and off-site monitoring activities. Monitoring protocols focus on specific priority areas, selected based on state performance and improvement needs.

When reviewing and/or revising their general supervision system, states analyze what monitoring activities can be used to collect performance data from all LEAs, for every indicator, included in their SPP. This analysis process allows states to ensure that their monitoring system is designed to maximize the use of monitoring resources to include effective professional development and targeted technical assistance. Overall, the general supervision system must include planned analysis and review of all available monitoring data from on-site and off-site monitoring activities.

Some key evidences of how a state or an LEA can demonstrate that the **Integrated Monitoring Activities** component is a part of the system of general supervision include:

- There is stakeholder involvement in the design, implementation, and evaluation of integrated monitoring activities.
- State procedures and protocols are implemented consistently to ensure process integrity.
- Training is provided at all levels (state and local) for those involved in monitoring to provide consistency in the implementation of procedures and to ensure transparency of the process.
- State and local data are systematically reviewed to determine activities for focused monitoring activities.
- Results of integrated monitoring activities trigger corrective actions;

technical assistance; improvement strategies; fiscal decisions and other investments, sanctions, and incentives that ensure timely correction.

- State IDEA monitoring efforts are coordinated with other state activities.
- Focused monitoring activities are geared toward identifying solutions and activities to enhance and improve performance as well as correct noncompliance.
- Multiple data sources and methodologies are used including desk audits, surveys, on-site reviews, and local agency self assessments.
- States have procedures to track the effectiveness of corrective actions and improvement strategies.
- Monitoring activities lead to the identification of underlying causes of noncompliance to assist in the development of improvement strategies.
- Routine evaluation of the integrated monitoring activities is conducted as part of the state's overall general supervision system.

Improvement, Correction, Incentives, and Sanctions

Supporting improvement and ensuring correction through incentives and sanctions are critical components to a general supervision system. The enforcement of regulations, policies, and procedures is required by the IDEA and state rules. State guidelines and directives also steer the technical assistance provided to ensure the correction of noncompliance and, ultimately, to meet state and local targets.

Successful completion of corrective sanctions and improvement activities means that the state or an LEA has corrected the noncompliance and made significant progress toward reaching established targets on performance indicators. This is identified through data analysis, documentation of evidence of change, and other methods.

Improvement plans are most effective when they emphasize measurable results and include changes needed in (1) practice (and related policies and procedures), (2) professional

development, (3) targeted technical assistance, (4) infrastructure, and (5) sufficient supervision. Correction of noncompliance must be documented and verified by the state. The state and the LEA track the implementation of improvement activities and intervene quickly and effectively if tracking indicates a lack of progress.

A range of incentives and rewards are designed to recognize local agencies when they meet or exceed the targets. In providing incentives and rewards, the state agency should be specific about which target(s) the LEA has met and validated.

States must ensure timely correction of noncompliance. A state's monitoring policies, procedures, and practices should include descriptions of how and when sanctions are to be imposed. An effective means of ensuring compliance is the development of a range of sanctions. It is important that the state analyze: corrective actions taken, previous monitoring reports, unique characteristics of the local program, and the local agency's efforts and capacity to correct the identified problem(s) in making decisions about the imposition of sanctions.

States must evaluate the compliance and improvement efforts of the LEAs annually and make determinations of the status of each LEA. The states must examine the LEAs' performance on compliance indicators; the validity, reliability, and timeliness of data submitted; uncorrected noncompliance from sources other than SPP indicators; and any audit findings. In developing the criteria for making determinations, states will want to consider the performance of their LEAs on results indicators and any other information available. Based on the state's examination and review, the LEAs will be determined to "meet requirements," "need assistance," "need intervention," or "need substantial intervention."

Some key evidences of how a state or an LEA can demonstrate that the **Improvement, Correction, Incentives, and Sanctions** component is a part of the system of general supervision include:

- State rules clearly define the state's authority for enforcement.
- Targeted training, technical assistance, and support are provided to the LEAs when developing and implementing corrective action.
- State rules authorize a range of sanctions.
- Model practices reflecting improvement activities of high performing LEAs are identified in order to be replicated at other local agencies.
- Rewards are provided to reinforce high performing LEAs.
- Targeted technical assistance is provided by other agencies through interagency agreements and memoranda of understandings.
- States have procedures to track the effectiveness of corrective actions and improvement strategies.
- States have procedures for prohibiting an LEA from reducing maintenance of effort if an LEA is not meeting the IDEA Part B requirements.
- States use any monitoring and enforcement authority available to them.

Fiscal Management

The state system of general supervision includes mechanisms to provide oversight in the distribution and use of the IDEA funds at the state and local level. States should have procedures for ensuring that fiscal resources are directed to areas needing improvement as noted in the APR. Supervision of fiscal activities should include a review of required corrective actions as a result of monitoring activities.

Some key evidences of how the state or an LEA can demonstrate that the **Fiscal Management** component is a part of the system of general supervision include:

- States distribute the IDEA funds in accordance with federal requirements.
- States distribute funds to LEAs in a timely manner.

Statement of Compliance With Federal Law

The Michigan Department of Education complies with all Federal laws and regulations prohibiting discrimination and with all requirements and regulations of the U.S. Department of Education.

Compliance With Title IX

What Title IX is: Title IX of the Education Amendments of 1972 is the landmark federal law that bans sex discrimination in schools, whether it is in curricular, extra-curricular or athletic activities.

Title IX states: "No person in the U.S. shall, on the basis of sex be excluded from participation in, or denied the benefits of, or be subject to discrimination under any educational program or activity receiving federal aid."

The Michigan Department of Education (MDE) is in compliance with Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et seq. (Title IX), and its implementing regulation, at 34 C.F.R. Part 106, which prohibits discrimination based on sex. The MDE, as a recipient of federal financial assistance from the United States Department of Education (USED), is subject to the provisions of Title IX. MDE does not discriminate based on gender in employment or in any educational program or activity that it operates.

The designated individual at the Michigan Department of Education for inquiries and complaints regarding Title IX is:

Ms. Norma Tims, Office of Career and Technical Preparation, Michigan Department of Education, Hannah Building, 608 West Allegan, P.O. Box 30008, Lansing, Michigan 48909, Phone: (517) 241-2091, Email: timsn@michigan.gov.



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- LEAs provide a proportionate share of the IDEA funds to private schools.
 - States provide oversight on the use of funds.
 - States' interagency agreements establish fiscal responsibility for the provision of special education and related services and procedures for dispute resolution.
 - States ensure that audits are conducted annually in accordance with the *Single Audit Act*.
 - Funds are used in accordance with federal and state requirements.
 - States oversee their LEAs' expenditures to ensure timely liquidations.
 - States and their LEAs use applicable procedures related to high-risk pools if the state reserves funds for this purpose.
 - States assist their LEAs in developing and implementing tracking systems for children receiving early intervention services.
 - States maintain effort at the state level.
 - States ensure that their LEAs report on early intervening services.
 - States and their LEAs use applicable procedures related to exceptions to maintenance of effort.
 - States allocate adequate resources to support the system of general supervision.
- Michigan's general supervision system is a multi-faceted, logical assembly of the above eight components. An effective general supervision system ensures accountability with the IDEA through effective monitoring activities.

RESOURCES

National Center for Special Education Accountability Monitoring
www.accountabilitydata.org

Regional Resource Center Program
www.rrfcnetwork.org

**U.S. Department of Education
General Supervision Presentation (2007)**
<http://idea.ed.gov/explore/view/p/,root,dynamic,Presentation,21>,

Michigan Education Web Sites

Center for Educational Networking (CEN)
www.cenmi.org

Continuous Improvement & Monitoring System (CIMS)
www.cenmi.org/cims

Michigan Department of Education, Program Accountability
www.michigan.gov/mde/0,1607,7-140-6530_6598_7363---,00.html

Michigan Department of Education, Program Finance
www.michigan.gov/mde/0,1607,7-140-6530_25538_6563---,00.html

**Michigan Department of Education (MDE)
Office of Special Education and Early Intervention Services (OSE-EIS)**
www.michigan.gov/ose-eis

Michigan Department of Education, Performance Reporting
www.michigan.gov/mde/0,1607,7-140-6530_6598-18358--,00.html

Michigan's Integrated Improvement Initiatives (MI3)
www.cenmi.org/mi3